

SENATE BILL 199

By Gilmore

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 6, Part 3; Title 38 and Title 39, relative to domestic violence.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-204(i), is amended by adding the following as a new subdivision:

() The murder was committed against a person who, in relation to the defendant, would qualify as a domestic abuse victim under § 36-3-601.

SECTION 2. Tennessee Code Annotated, Section 39-13-102(a)(1)(B), is amended by adding the following as a new subdivision:

() Involved strangulation or attempted strangulation.

SECTION 3. Tennessee Code Annotated, Section 39-13-102(a)(2), is amended by deleting the subdivision and substituting instead:

(2) For the purposes of subdivision (a)(1), "strangulation" means intentionally, knowingly, or recklessly impeding normal breathing or circulation of the blood by applying pressure to the throat or neck or by blocking the nose and mouth of another person, regardless of whether that conduct results in any visible injury or whether the person has any intent to kill or protractedly injure the victim.

SECTION 4. Tennessee Code Annotated, Title 38, Chapter 3, is amended by adding the following as a new section:

Each law enforcement agency shall adopt a written policy requiring officers to screen the victim of any offense involving domestic violence or violation of a protection order with an evidence-based lethality assessment screening to determine if the case

should be referred to local or regional domestic violence advocacy services. The screening may be carried out by a domestic violence support organization.

SECTION 5.

(a) The Tennessee advisory commission on intergovernmental relations (TACIR) shall perform a study of existing laws and policies to protect victims of domestic violence throughout the judicial process, the prevalence of dropped or amended domestic violence charges, and the number of cases in which a charge of an offense involving domestic violence was dropped and the victim of domestic violence later became the victim of a homicide.

(b) All appropriate state agencies and departments shall provide assistance to TACIR upon the request of the executive director of TACIR.

(c) TACIR shall submit a report disclosing the findings of the study and recommendations, including proposed legislation, to the general assembly no later than March 1, 2022.

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.